



राजपत्र, हिमाचल प्रदेश

(असाधारण)

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

शिमला, शनिवार, 1 मार्च 1975/10 फाल्गुन, 1896

GOVERNMENT OF HIMACHAL PRADESH

LOCAL SELF GOVERNMENT DEPARTMENT NOTIFICATION

Simla-2, the 12th February, 1975

No. 1-17/70-LSG-II.—The following building bye-laws made by the Simla Municipal Corporation in exercise of the powers conferred by sections 198, 199 and 200 of the Himachal Pradesh Municipal Act, 1968 (Act No. 19 of 1968) having been confirmed by the Governor of the Himachal Pradesh as required under section 215 of the aforesaid Act are hereby published for general information and shall come into force within the area of the Simla Municipal Corporation from the date of publication of this notification in the Rajpatra Himachal Pradesh. Unless otherwise provided in these bye-laws this notification shall supersede all such corresponding bye-laws, as amended from time to time and which are in force immediately before the commencement of this notification in the area of the Simla Municipal Corporation.

BUILDING BYE-LAWS**PART I****INTRODUCTORY**

Definitions.—In these bye-laws unless there is anything repugnant to the subject or context, the following words and expressions shall have the respective meanings hereby assigned to them:—

- (1) “abut” denotes a building abutting on the street when the outer face of any of its external walls is on the street boundary;
- (2) “Act” means the Himachal Pradesh Municipal Act, 1968, as amended, from time to time;
- (3) “Applicant” means and includes a person who gives notice to the Corporation of his intention to erect or re-erect a building on a plot of land of which he/she is a owner and shall include his authorised representatives;
- (4) “balcony” means a cantilevered horizontal projection from the wall of a building not supported from the ground having a balustrade or railing and intended for human use;
- (5) “base” in relation to wall or pier means the underside of that part of the wall or pier which immediately rests upon the footings or foundations or upon any bressumer or other structure by which such wall or pier is carried;
- (6) “basement storey” means the storey which is next below the ground storey or which is in any part for more than half of its height below the main level of the street or ground adjoining the principal entrance to the building;
- (7) “bressumer” means a beam or girder which carries a wall;
- (8) “building” means the whole or any part of any shop, house, hut, out house, shed or stable whether used for human habitation or otherwise and whether of masonry, bricks, wood, mud thatch metal or any other material whatsoever and includes a wall and well;
- (9) “canopy” means a projection from the outer wall on the entrance side beyond the face of the outer wall designed to protect the entrance from weather;
- (10) “chhaja” means a continuous cantilevered horizontal or sloping projection from the outer wall of the building primarily intended to give protection from weather to the opening;
- (11) “Corporation” means the Simla Municipal Corporation as constituted under section 5 of the Capital of Himachal Pradesh Development and Regulation Act, 1968;
- (12) “dead load” means the weight of wall, floors, roofs, partition, snow, wind and other permanent structures, etc.;
- (13) “dry area” means space open to sky between the outer walls of a building and hill-side to facilitate free circulation of air, light and prevent the building from dampness;
- (14) “external wall” means an outer wall of any building not being a party wall even though adjoining to a wall of another building and a wall abutting an interior open space of any building but does not include an outer verandah wall;
- (15) “footings” means the projection course below the base of wall for the purpose of spreading the weight over a large area;

- (16) "framed building" means a building, the wall of which are constructed of timber, iron, re-inforced cement concrete or steel framing consisting of post or columns and beams filled in whole or partly with brick, stone, or iron plates or other material of the stability of which depends upon such framing;
- (17) "front" in relation to a building means generally the portion facing the street from which it has access and in case of doubt as determined by the Corporation;
- (18) "garage" means a building or portion thereof used or intended to be used for shelter, storage or repair of wheeled vehicle;
- (19) "plinth level" means the level of the ground floor of a building;
- (20) "dry latrine" means a latrine cleaned manually;
- (21) "storey" means any horizontal division of a building although such horizontal building may not extend over the whole depth or width of the building but does not include mezzanine floor;
- (22) "rain water drain" means a drain used or constructed to be used solely for carrying to any nullah either directly or through another drain any drain water of roofs or ground surface either paved or unpaved but shall not include a rain water pipe;
- (23) "subsoil drain" means a drain used or constructed to be used for conveying any nullah (either directly or through another drain) any water that may percolate through the subsoil; and
- (24) "water borne sanitary installation" means a urinal, latrine, water closet apparatus bidet slope sink hospital sanitary fittings, sink or other similar fittings, the solid or liquid filth or waste from which is intended to be discharged by a flush or water and shall include all man hole-pipes, gullies soil pipes, waste pipes, ventilating pipes, anti-syphonage pipes drains communicating with the sewers.

PART II

PROCEDURE FOR SUBMISSION OF BUILDING APPLICATIONS

1. (1) Every person intending to erect or re-erect any building either personally or through authorised agent shall give notice to the Executive Officer of the Corporation of such intention in writing in Form 'A' appended to these bye-laws obtainable from the office of the Executive Officer of the Municipal Corporation and at the same time submit:—

- (a) a site plan on tracing cloth of the land on which it is intended to erect or re-erect the building and also furnish land khasra number, tatima, shajra and a copy of the Jama Bandi from the Patwari concerned;
- (b) a plan on tracing cloth showing main two elevations and at least two typical sections of the building which he intends to erect or re-erect. One section must be through stair-case;

(2) In the case of a structure proposed to be constructed on a site adjacent to a public street under the control or management of the Public Works Department of Government, or of any other local authority, the applicant shall submit the plans and specifications (one additional copy) with one

complete set of plans and shall immediately on its presentation be forwarded by the Corporation to the Executive Engineer or to the other local body concerned for information.

(3) The specifications detailed in Form 'B' appended to these bye-laws should be duly signed by the owner or his authorised agent and the registered architect/engineer.

(4) The Municipal Corporation may require any person who has submitted an application for sanction to erect or re-erect any building to submit in addition to the plans and specifications required in this bye-law complete elevations and additional section of the proposed building with full specifications and structural details regarding the material and method of construction to be used for external walls, party-walls, foundations, roofs, ceilings, floors, stair-cases, fire places and chimneys.

2. Site Plan.—The site plan referred to in bye-law No. 1 must be the true copy of the relevant abstracts of the map maintained by the Municipal Patwari. It must be prepared with sufficient accuracy to enable the site to be identified and must be submitted in ink on tracing cloth with three distinct ferro copies, one ferro copy shall be returned to the applicant with the words 'Rejected' or 'Sanctioned' on it. It shall be fully dimensioned explaining any special colour and symbols used and shall show—

- (i) the position of proposed building fixed in relation to some permanent feature with overall outer dimension with the boundaries of the site;
- (ii) scale to which drawn;
- (iii) the direction of the north point;
- (iv) the street or roads adjoining the site with their width clearly dimensioned and with names if any, all existing roads, side trees, lamp posts or any other features or structures likely to affect the approach to the building;
- (v) surrounding buildings in outline upto a distance of 50 metres from the boundaries of the site with the names of the buildings;
- (vi) the proposed level of the site and of the plinth of the building in relation to those of the neighbouring street by an elevation of a section;
- (vii) methods of the disposal of sullage, water, sewage and storm water;
- (viii) the position of drains and ravines adjacent to the site; and
- (ix) the position of all trees standing on site, electric wires, all cables and sewage line, passing through the site.

3. Building Plan.—The plan showing elevations and section shall be drawn on a tracing cloth to a scale of 1 cm. to 1m. and shall also show—

- (a) the nature of the building i.e. purpose of its use;
- (b) (i) two elevations, one of it shall be of the front;
- (ii) two cross sections, one shall be through the stair-case another shall be along the contours showing different levels of road or roads;
- (c) the size of doors and window openings and other methods of ventilation of each room;
- (d) the means of access to the building and its various floors.

4. *Colourning of Drawings.*—Both in the site plan and the building plan, the existing features namely, building, trees and other land marks shall be shown in black, existing roads in brown, nullahs and ravines in blue, proposed new features in red and any proposed demolition in yellow water line in blue and sewage connection in brown and surface and drains in yellow, boundary of plot in dotted line.

5. *Stacking of Building Material on Public Street.*—If any part of public street is required to be occupied for stacking building material a separate sanction well in advance of the commencement of building work shall have to be applied for, and if granted, the Municipal Corporation shall get such area demarcated. The owner shall pay necessary charges fixed by the Corporation, for such occupations from the date of occupation of site to the date of completion of the building. Area found occupied without sanction shall be charged at double the fixed rate.

6. *Construction of Temporary Structure.*—(a) The owner may construct with prior permission of the Corporation a single storey temporary structure within the boundaries of the site for builder's office for storage of building material etc. This temporary structure shall remain for the period specified in the sanction.

(b) In the case of a building likely to be used as a factory adequate provisions shall be made for housing accommodation in connection therewith.

(c) No portion of any building in a street in which a line of frontage has been fixed by a resolution of the Corporation shall be built to project beyond such line of frontage, nor shall the door of any building be made so as to encroach on a street when opened.

PART III

1. The Bazar Ward and the Station Ward for the purpose of these bye-laws shall mean the wards as defined in bye-laws, published, with Punjab Government Notification No. S.O. 259/PA-3/s. 201/63, dated the 11th June, 1963.

2. Where tree(s) is/are involved no building application shall be considered until permission has been obtained in accordance with the bye-laws published with Punjab Government Notification No. 16917, dated 27th April, 1935, as subsequently amended *vide* Notification No. 1389/C-46/10842, dated 9th May, 1946 and Notification No. 1612-c-52/11-1908, dated 7th April, 1952.

3. *Provision of Kitchen, Bath and W.C.*—Each residential building intended for the use of one family shall in addition to a living room have at least—

(a) a kitchen;

(b) one bath room, and

(c) where Municipal sewer exists at a distance not exceeding 30 metres from the boundary of intended building, it shall be necessary to provide latrine on water borne system in the building.

4. Minimum size of rooms of a dwelling shall be as follows:—

Habitable room 9.5 sq. m. with minimum width of 2.5 m.

Kitchen without dining 4.00 sq. m. with minimum width of 2 m.

Kitchen with dining 7.5 sq. m. with minimum width of 2.5 m.

Bath room 2.00 sq. m. with minimum width of 1.25 m.

W.C. 0.25 sq. m. with minimum width of 1 metre.

Bath and W.C. combined 2.75 sq. m. with minimum width of 1.25 metres.

Living Room.—Every living room shall conform to the following minimum requirements:—

- (a) (i) 2.3 metre in height in ground floor at any point from floor ; and
(ii) 2.15 metre in height at any point in other floors.
- (b) One or more windows not less than 1/6 of the floor area of the room to provide sufficient light.
- (c) *A Fire Place.*—No fire place to be used as such shall be constructed unless the floor beneath it and around it for a width of three feet has been rendered fire proof by being covered with earthenware tiles or concrete or some fire proof substance.
- (d) No wall against hill unless provided with a dry area of one metre in width or water proof arrangement.

Note.—Every room is a living room except kitchen, bath, store, W.C., dining room, study room and puja-room.

5. Kitchen shall conform to the following requirements:—

- (a) a well lit and ventilated room *i.e.* with a window or ventilator of which the area shall not be less than 0.90 sq. metre;
- (b) a sink with minimum dimension of 0.6 metre x 0.45 metre or a water proof washing tray of minimum 10 cm. depressed into the floor;
- (c) an effective flue with other sufficient arrangement to prevent any smoke flowing to the kitchen; and
- (d) the floor of impervious and fire resistant nature.

6. (1) Bath and W.C. shall conform to the following requirements:—

- (a) a window or ventilator of at least 150 sq. cm. in area in one of the walls as near the roof as may be practicable and communicate directly with the open air;
- (b) every latrine or privy shall be so constructed that:—
 - (i) there shall be adequate access thereto for the purpose of cleaning; and
 - (ii) when the outer door thereof is open the seats shall not be visible from the street or other public places;
- (c) a drain constructed of pipes of glazed stoneware or other impervious material and connected to a municipal drain. Where there is no municipal drain sockpit will be provided;
- (d) water flushed latrine connected with the municipal sewer or a septic tank of suitable size to discharge the effluent into a municipal sewer or into a sullage drain certified by Water-Works Engineer and Medical Officer of Health capable of carrying off the effluent without danger to the public health before use. Such installation shall be got constructed through a licensed plumber.

(2) No person shall dispose of the effluent from a septic tank by surface verification or by subsoil drainage or into an open unlined cesspool.

(3) No privy other than a water closet of the European or Indian type shall be placed on any upper floor of a building unless movable receptacles are provided.

(4) No person shall construct a private cesspool—

(i) if there is a municipal drain within 45 metres of the premises for which it is required,

(ii) except a cesspool of masonry in lime, a cement plaster on the surface, with an iron moveable receptacle and an air tight cover to allow the disposal of sullage by hand carriage,

(iii) unless adequate access is provided thereto, for the purpose of cleaning it, and

(iv) unless it is impracticable or impossible by reasons or the lack of suitable site or because of the nature of the ground to build a soakage pit.

7. *General Headings.*—(i) No building on either side of a road upto 2 metres from the edge of the road, will be constructed. No building on either side of the Mall road i.e. road starting from the President's Lodge to Chhota Simla and from the Ridge to Sanjauli Chowk, presently known as Sanjauli Mall shall be constructed within 3 metres from the edge of the Mall road. On the lower side of a road the sloping roof, which alone will be allowed, shall be kept below the road level.

(ii) No building intended for human habitation shall be constructed within 1.5 metres of a hillside unless there is clear space not less than 1 metre in width and open to the sky between such hillside and every part of any wall or walls of the building facing such hillside provided that such clear space may be traversed by a bridge or bridges giving communications between the building and the hillside but covering not more than 25 % of the dry area.

(iii) In Bazar area and in all other areas which may be considered to be congested area by the Municipal Corporation every building abutting on the southern side of a street shall be so constructed as to be within a building angle of not more than 37-1/2. In the case of a building abutting on the other side of a street a building angle of not more than 45 may be allowed.

Note.—The term building angle means the angle formed between the horizontal line at street level and a line drawn from higher point of proposed building to the farthest edge of the street opposite the proposed building.

(iv) No building shall be constructed within the area as may be prescribed by the State Government from time to time without prior approval by the State P.W.D.

8. Fire preventive measures should be provided in each building and each floor as may be prescribed by the Municipal Corporation.

9. All water/sewerage fitting shall be shown in building plan.

10. The walls of every building shall be constructed of non-inflammable material and in the case of partition walls between adjoining houses their thickness shall be not less than 23 cm.

11. All buildings shall be roofed with a fire resisting material to be approved by the Corporation. The roof shall be of sufficient strength to ensure stability and shall be provided with adequate gutters, rainwater pipes and snow-guards. A damp roof course composed of some hard

impermeable material such as asphalt, slate, lead or vitrified bricks shall be included between the second and third course of bricks above the ground level in order to prevent dampness rising by capilarity.

12. (1) The floor of every building at plinth level shall be made of cement concrete. If a room on the ground floor is intended for human habitation the floor shall be at the same level as the damp proof course and may be allowed to be of wood instead of cement concrete.

(2) The Corporation may sanction a floor intended for human habitation at plinth level to be built of wood; provided that this is made of planed, tongued and grooved or rebated deodar planks laid carefully with close joints in such a manner as to permit of a clear air space of 15 cm. between the floor joints and the ground, and provided further that the level of the wooden floor is 15 cm. above that of the damp proof course. Such air space must be adequately ventilated to allow free circulation of air by opening measuring at least 15 cm. \times 23 cm. to the external air and provided with fine meshed wire gauge to exclude vermin. At least one such opening shall be provided for every 9.5 sq. metre of floor area. In no case shall fewer than two such ventilators be provided.

13. (a) No person shall construct any building of more than five storeys including the ground floor, basement and no person shall construct any building of more than two such storeys unless the outer walls of such building are made of bricks, stone or reinforced concrete.

(b) In the area northern side of Ridge above Circular Cart Road/road between nullah near White Hotel upto North Bank building on western side, only three storeys shall be allowed, but in case of more than three storeys details of foundations and structural calculations shall be required to be supplied with a certificate from the State Geologist that the soil is sufficiently strong to take the load of construction.

14. *Stairs*.—Every building of more than one, but not more than three storeys including the ground floor, shall be provided with a staircase of a clear and unobstructed width of not less than 1 metre.

(a) Every building of more than three storeys (including the ground floor) shall be provided with a staircase of a clear width of not less than 1 metre for the top storey and one immediately below it, and, this shall be increased in width by 15 cm. for every lower additional storey, so that in the case of a five storeyed building the staircase will be 1.30 metre wide at the bottom.

(b) No step in a staircase shall be more than 23 cm. in height or less than 23 cm. in breadth.

(c) Every staircase must be so constructed that day light provides adequate illumination in all parts.

15. *Passage or Corridor*.—No passage shall be constructed of a width less than 1 metre and every passage connecting two staircases shall have a clear and unobstructed width equal to that required for the wider staircase.

16. *Completion Certificate*.—It shall be an offence, in the case of a new building or additions to an old building sanctioned by the Corporation, to occupy or permit the occupation of such building or additions until the completion certificate is given by the owner and certified by the registered Architect/Engineer to that effect and the Medical Officer of Health, and if necessary, by the Engineer Water Works and Drainage and the Electrical

Engineer of the Corporation that the house has actually been constructed according to the sanctioned plan and that no unauthorised additions or deviations have been made. The attestation will be completed and communicated to the owner within 15 days of the receipt of the completion certificate.

17. Buildings *bona fide* required by agriculturists for their own residence or for purposes of agriculture or purpose subservient to agriculture shall be exempt from operation of these bye-laws provided such buildings are erected or situate within the agricultural holding of the agriculturist or in *abadi deh*.

Note.—Agriculturist for the purposes of these bye-laws means a person who earns his living by tilling the land within the limits of Simla Municipal Corporation and includes such members of his family as may be dependant upon him.

FORM 'A'

(To be filled in by the applicant)

From

.....
.....
.....

To

The Executive Officer,
Simla Municipal Corporation.

As required by sub-section (2) of section 199 of the Himachal Pradesh Municipal Act, 1968, I hereby give notice that I intend to erect/re-erect a building situated in.....

(Here insert street, ward, etc.)

I attach—

- (a) the plans and structural details (in duplicate) required by Simla Municipal Corporation bye-laws;
- (b) a specification of the proposed building.

Signature

Date

(To be filled in the Municipal Office)

Serial No. of application.....
Name of applicant.....
Site of building (Name of street, quarter, etc.).....
Abstract of application.....
Received by Executive Officer on.....

(Initial of Executive Officer

Date by which orders must be passed under section 204(4).

.....
(To be entered in red ink by either the
Assistant Secretary or his Assistant).

.....
Dated initials of the official making entries.

Forwarded on.....to the Engineer, Roads and Buildings for
report.

.....
Dated initials of the forwarding officer.

Forwarded to the Medical Officer of Health on.....for report.

.....
Dated initials of the forwarding officer.

Forwarded on.....to the Electrical Engineer for report with referen-
ce to rules 62(3) and 107 of the Indian Electricity Rules.

.....
Dated initials of the forwarding officer.

Forwarded on.....to the Engineer, Water Works and Drainage,
for report.

.....
Dated initials of the forwarding officer,

Returned to the Executive Officer on.....

.....
Dated initials of the forwarding officer.

Submitted to the Executive Officer.

.....
Dated initials of the Executive Officer.

Abstract of Executive Officer's order.....dated.....

.....
Dated initials of the Executive Officer,

FORM 'B'

1, *In the case of the erection/re-erection of an entire house or considerable portion of a house:*

- (a) in case of re-erection of a house, the house number, if any, of the house to be re-erected.....
- (b) the purpose for which it is intended to use the building.....
- (c) the materials to be used in construction of the walls, doors and roofs.....
- (d) the number of storeys of which the building will consist.....
- (e) the position and dimension of all doors, windows and ventilation openings.....
- (f) the approximate number of inhabitant proposed to be accommodated.....
- (g) the number of the latrines to be provided.....
- (h) whether the site has been built upon or not; if so, the date when the previous building ceased to be fit for occupation.....
- (i) the free passage or way in front of the building.....
- (j) the space to be left around the building to secure free circulation of the air, to facilitate scavenging and the prevention of the fire....
- (k) the method of disposal of the roof and house drainage and of the surface drainage of the land.....
- (l) the line of frontage with neighbouring buildings if the building abuts on a street.....

2. *In the case of minor alterations or additions:*

- (a) a description of the alteration or additions proposed.....
- (b) the material to be used for such alterations or additions.....

Signature.

By order
P. K. MATTOO,
Secretary.

कार्यालय जिलाधीश, जिला बिलासपुर, हिमाचल प्रदेश

अधिसूचना

बिलासपुर, दिनांक 24 जनवरी, 1975

क्रमांक 9-पी 0-इलेक-27/74-ii-508.--हिमाचल प्रदेश पंचायती राज अधिनियम, 1968 की धारा 68 (1) तथा हिमाचल प्रदेश पंचायत समिति (निर्वाचन) नियम 1973 के नियम 54 के अन्तर्गत मैं, नरवीर सिंह, जिलाधीश, बिलासपुर, जिला बिलासपुर, हिमाचल प्रदेश पंचायत समिति (निर्वाचन) नियम, 1973 के नियम 50 के अन्तर्गत, नीचे दी गई सारणी के कोष्ठ नं०(1) में वर्णित पंचायत समिति के लिये निर्वाचित घोषित किये गये क्रमशः खाना नम्बर 2 व 3 में वर्णित अध्यक्ष तथा उप-अध्यक्ष के नाम प्रकाशित करता हूँ:--

पंचायत समिति का नाम	निर्वाचित अध्यक्ष का नाम व पता	निर्वाचित उप-अध्यक्ष का नाम व पता
1	2	3
1-गेहड़वीं	श्री अभिया राम सुपुत्र श्री टहिया, निवासी भड़ोली कलां, तहसील घुमारवीं, जिला बिलासपुर।	श्री धनी राम सुपुत्र श्री शिवराम, निवासी पोली तहसील घुमारवीं, जिला बिलासपुर।
2-घुमारवीं	लेख राम, ग्राम भलस्वाये, डाकखाना तलयाणा, तहसील घुमारवीं, जिला बिलासपुर।	श्री शिव राम शर्मा, गांव व डाकखाना कोठी, तहसील घुमारवीं, जिला बिलासपुर।

दिनांक: 24-1-75

नरवीर सिंह,
जिलाधीश।